

The House Committee on Health and Human Services offers the following substitute to HB 523:

A BILL TO BE ENTITLED
AN ACT

To amend Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to prescription drugs, so as to prohibit a pharmacist from engaging in drug product selection or substitution for a patient undergoing immunosuppressive therapy to prevent transplant rejection without prior consent of the patient and prescribing physician; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to prescription drugs, is amended by adding a new Code section to read as follows:

"26-4-91.

A pharmacist shall not engage in drug product selection or substitution of any pharmaceutical that is prescribed as part of immunosuppressive therapy for a patient that has received an organ or tissue transplant to inhibit or prevent immune system activity that might increase the probability of the rejection of such transplanted organs or tissues without first obtaining the consent of the patient and of the prescribing physician or his or her designee. If the pharmacist, after reasonable attempts, is unable to contact the prescribing physician as required under this Code section, the pharmacist may substitute a generically equivalent immunosuppressive drug for a period of no longer than 72 hours until communication can be established with the prescribing physician or his or her designee. A physician, in consultation with the patient, may specify a generic manufacturer for immunosuppressive drugs by indicating such designation on the prescription. This Code section shall not apply to a pharmacist who is a member of the staff of and dispenses drugs from the pharmacy of a hospital issued a permit as an institution under Code Section 31-7-1."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.